

# CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

**Newport Beach City Hall, Council Chambers  
3300 Newport Boulevard  
Wednesday, May 23, 2012 – 3:30 p.m.**

**Brenda Wisneski, Zoning Administrator**

**Staff Members:**

**Kay Sims, Assistant Planner**

**Melinda Whelan, Assistant Planner**

**A) CALL MEETING TO ORDER**

**B) MINUTES OF MAY 9, 2012**

### C) PUBLIC HEARING ITEMS

Item No. 1.	The Juice Bar - Minor Use Permit No. UP2012-005 (PA2012-045) 3000 Newport Boulevard	Council District 1
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**Summary:** A Minor Use Permit for a “take-out service, limited” establishment within an existing 5,600 square foot mixed-use building consisting of 2,000 square feet of commercial space on the first floor and two condominium units on the second floor. The proposed project would convert 1,400 square feet of currently vacant, retail space to a walk-in juice bar with some incidental, related retail sales. The establishment would have a net public area of 850 square feet and provide seating for a maximum of six customers. The proposed hours of operation are between 7:00 a.m. and 11:00 p.m., daily. The property is located in the CV (Commercial Visitor-Serving) District.

Recommended  
Action:

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit No. UP2012-005 (PA2012-045) subject to the recommended findings and conditions.

CEQA

Compliance: The project is exempt from environmental review pursuant to Section 15301, Class 1 (Existing Facilities) of the Implementing Guidelines of the California Environmental Quality Act.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least seventy-two (72) hours in advance of each regular hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

Item No. 2.                      Carnation Lot Line Adjustment No. LA2011-002 (PA2011-194)  
   412 & 412 ½ Carnation Avenue    Council District 6

Summary:                      A lot line adjustment for the purpose of incorporating an approximate 1,009-square-foot portion of abandoned Carnation Avenue right-of-way into the adjacent Two-Unit Residential (R-2) property. The lot line adjustment is required by the City Council approved Agreement for Purchase and Sale of Real Property of said portion of vacated right-of-way. No new lots will be created and the number of lots will remain the same. The property is located in the R-2 (Two-Unit Residential) District.

Recommended

Action:                      1)              Conduct public hearing; and  
   2)              Approve Lot Line Adjustment No. LA2011-002 (PA2011-194)  
   subject to the recommended findings and conditions.

CEQA

Compliance:                      The project is exempt from environmental review pursuant to Section 15305, Class 5 (Minor Alterations in Land Use Limitations) of the Implementing Guidelines of the California Environmental Quality Act.

**D) PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

**E) ADJOURNMENT**

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.